

SOUTHERN ENVIRONMENTAL LAW CENTER

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July 11, 2017

VIA EMAIL

Mr. Brian May, FOIA Officer
United States Geological Survey
5522 Research Park Drive
Baltimore, MD 21228
foia@usgs.gov

Re: Freedom of Information Act Request

Dear Mr. May:

Under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, the Southern Environmental Law Center (SELC) requests all records in the possession of the United States Geological Survey (in particular, the South Atlantic Water Science Center in Norcross, Georgia) relating to (1) water quality monitoring for the lower Altamaha River below the Rayonier pulp mill in Jesup, Georgia, (2) impairment of the lower Altamaha River below the Rayonier pulp mill in Jesup, Georgia, (3) observations or complaints related to color or odor in the lower Altamaha River below Jesup, Georgia; (4) observations or complaints related to fish tainting in the lower Altamaha River below Jesup, Georgia, and (5) any other records related in any way to the Rayonier pulp mill in Jesup, Georgia.

As used above, the term “records” includes, without limitation, all communications, correspondence, e-mail, records of phone conversations, transcripts of testimony, minutes or notes of meetings, electronic mail, PowerPoint or other similar presentations, memoranda, reports, maps, photographs, drawings, data, tables, spreadsheets, formulas, notes, observations, impressions, contracts, and policies or directives, whether in an electronic or print medium, original or copy, or draft or final form.

If records (or any portions thereof) are determined to be exempt for any reason, please provide any segregable material and indicate how much material has been withheld and on what grounds. 5 U.S.C. § 552(b); 7 C.F.R. § 1.7. To the extent that the requested records are maintained in a common electronic format, we request that they be provided in that format.

We also request a fee waiver in connection with this request for records pursuant to 5 U.S.C. § 552(a)(4)(A)(iii). Fee waivers are to be granted whenever disclosure would serve the public interest (as opposed to a commercial interest) and would contribute significantly to public understanding of government operations or activities. Court have directed that the public interest standard of the fee waiver provision should be “liberally construed” in favor of waivers. *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1284 (9th Cir. 1987)

Here, the request would serve no commercial interest and the fee waiver would benefit the general public through increased notice and understanding of the operations of the

government and of potential or proposed policy. SELC, a non-profit public interest organization, is dedicated to using the power of the law to protect clean air, clean water, and special places throughout the six Southeastern states in which we work: Alabama, Tennessee, Georgia, South Carolina, North Carolina, and Virginia. SELC maintains a website that includes both general and topic-specific information regarding the matters with which SELC is involved. *See* www.southernenvironment.org. SELC frequently publishes reports and issues press releases regarding its projects. SELC's website contains documents generated by SELC for the specific purpose of educating the public on particular issues. Lawyers at SELC are interviewed by the media to explain their work and its significance and speak at conferences on particular topics. SELC also assists the public in locating information relating to a particular topic by collecting and posting relevant information, documents, and links to other websites. If you require any further information or documentation, please do not hesitate to contact us.

If this request for a fee waiver is denied, please notify us promptly and provide an estimate of the fees associated with the request. We are available to review documents prior to any duplication and are willing to discuss other ways to facilitate the production of the requested public records, for instance, by narrowing our request if necessary.

Thank you for your timely consideration of this request. If you have any questions regarding this request, please contact me at (404) 521-9900 or mhuynh@selcga.org.

Sincerely,

A handwritten signature in cursive script that reads "Megan Huynh".

Megan Hinkle Huynh
Staff Attorney